

**REMARKS**

This Amendment is submitted in response to the Office Action mailed on April 10, 2008. Claims 24, 47, 49 and 50 have been amended, and claims 24-45 and 47-50 remain pending in the present application. In view of the foregoing amendments, as well as the following remarks, Applicant respectfully submits that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Claim 48 stands rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Nakagawa et al., U.S. Patent No. 5,599,743. Claims 24-45, 47 and 49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Song et al., U.S. Patent No. 6,821, 901 in view of Yin et al., U.S. Patent No. 6,270,617. While Applicant respectfully traverses these rejections, Applicant has amended each of independent claims 24, 47, 49 and 50 to more sharply define the claimed invention over the prior art of record and respectfully requests that the rejections be withdrawn.

With respect to the rejections of independent claims 24, 49 and 50 as allegedly being unpatentable over Song et al. in view of Yin et al., Applicant has amended each of these claims to recite that the substrate is supported in a container and that the step of inductively coupling power into the etching medium during dry etching is performed by a source located within the container. Support for these amendments is provided in the present application at Page 5, lines 1-31 which

describes that the substrate is supported within a vacuum container and the inductive power coupling is located within the container.

In contrast, the inductor coil of Yin et al. is located **outside** of the chamber and surrounds an upper portion of the chamber as shown in the figures. Consequently, Applicant submits that the combination of Song et al. and Yin et al. as set forth in the rejections of independent claims 24, 49 and 50 fails to achieve Applicant's claimed invention as recited in these claims and the rejections should be withdrawn.

The Office Action fails to set forth a detailed rejection of independent claim 47. While Paragraph 5 of the Office Action indicates that independent claim 47 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Song et al. in view of Yin et al., Applicant believes that this is a typographical error since an explanation of the rejection of claim 47 is not set forth in that paragraph. Accordingly, Examiner's allowance of independent claim 47 is respectfully requested.

With respect to the rejection of claim 48, a product-by-process claim, Applicant has amended base independent claim 47 to recite the step of applying a mask material to a wafer to be etched "in accordance with a desired selective removal of material from a surface of the wafer." Therefore, independent claim 47 makes clear that the masked material is applied to the wafer to be etched according to a desired pattern that will allow the selective removal of unmasked material from a surface of the wafer during the etching process. Therefore, dependent claim 48 recites a wafer made

according to the method of claim 47 wherein the masked material is applied in accordance with a desired selective removal of material from a surface of the wafer as opposed to an electrical interconnection pattern formed on a substrate as found in Nakagawa et al. According to the manufacturing method of Nakagawa et al., the underlying substrate is not etched at all but rather it is the aluminum film that is etched to form the interconnection pattern (see Col. 5, lines 46-50 and Col. 8, lines 6-12). Consequently, Applicant respectfully submits that independent claim 47, and dependent claim 48, define over Nakagawa et al. taken alone, or in combination with the other prior art of record and the rejection of these claims should be withdrawn.

Moreover, as claims 25-46 depend from allowable independent claim 24, and further as each of these claims recites a combination of steps not fairly taught or suggested by the prior art of record, Applicant submits that these claims are allowable as well.

### **CONCLUSION**

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Application No. 10/524,525  
Amendment Dated 10/10/08  
Reply to Office Action of 4/10/08

Please see the electronic fee calculation sheet for the charge in the amount of \$1,110 for the three months extension fee as required by 37 C.F.R. §1.17(a)(3). If any other fees are necessary, the Commissioner is hereby authorized to charge any underpayment or fees associated with this communication or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

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